

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE AUCTION RATE SECURITIES
LITIGATION

This Document Relates To: Nos. 08-CV-2967, 08-
CV-3082, 08-CV-4352, 08-CV-5251

Case No: 08-CV-2967 (LMM)
ECF Case

**NOTICE OF MOTION OF
DEFENDANT JOSEPH SCOBY TO
DISMISS FIRST AMENDED
CONSOLIDATED CLASS ACTION
COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying memorandum in support and upon the motion and memorandum of law submitted by Defendants UBS Securities LLC, UBS Financial Services Inc., UBS AG, Marten Hoekstra, and Marcel Rohner, the undersigned will move before the Honorable Lawrence M. McKenna, Judge of the United States District Court for the Southern District of New York, at the United States District Courthouse, located at 500 Pearl Street, New York, NY 10007, at a time and place to be scheduled by this Court, for an order dismissing the Amended Complaint against Joseph Scoby in its entirety with prejudice.

Dated: August 28, 2009

Respectfully Submitted,

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